

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**  
January 8, 1992 to March 31, 1992

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1992**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1992**

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**SECOND REGULAR SESSION**

**of the**

**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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the United States Department of Labor as the basis for determining the prevailing wage under state law, while not compromising the purposes of the state law. In addition, the bureau shall consider the scope and impact of the law, verification and enforcement activities, occupational classifications, possible alternate funding sources and other appropriate issues.

The Bureau of Labor Standards shall make a preliminary report to the joint standing committee of the Legislature having jurisdiction over labor matters by July 1, 1992 on the progress of the study. A final report must be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters by January 31, 1993 on the findings and recommended actions.

See title page for effective date.

## CHAPTER 74

H.P. 1414 - L.D. 2026

### An Act to Amend the Charter of the Casco Bay Island Transit District

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. P&SL 1981, c. 22, §3-A** is enacted to read:

**Sec. 3-A. Vacancies; board of directors.** The board of directors may fill a vacancy on the board by appointing a member to serve until the next municipal election. Such an appointed member must be a resident or property owner of the same geographic area as the former member whose term the appointed member will serve. If the term of a vacating member extends beyond the date of the next municipal election, a new member must be elected at the next municipal election as provided in section 3 to fill the remainder of that term.

See title page for effective date.

## CHAPTER 75

H.P. 1480 - L.D. 2092

### An Act to Increase the Debt Limit of the South Berwick Sewer District

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** disposal and treatment of sewage is essential to the health and well-being of the inhabitants of the Town of South Berwick; and

**Whereas,** changes in the debt limit of the South Berwick Sewer District are necessary in order to begin construction on a required secondary treatment plant; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. P&SL 1963, c. 226, §16, 3rd sentence,** as amended by P&SL 1987, c. 99, §1, is further amended to read:

The total outstanding indebtedness of ~~said~~ the district, at any one time, ~~shall~~ may not exceed the sum of \$3,000,000 \$6,000,000.

**Sec. 2. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved, except that the increase of the total indebtedness from \$3,000,000 to \$6,000,000 takes effect only for the purpose of permitting its submission to the legal voters of the South Berwick Sewer District, resident in the district, at the next regular town or at a special town meeting to be called and held for the purpose by December 31, 1992. The election must be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the municipal officers of the town are not required to prepare for posting, nor the town clerk to post, a new list of voters and, for the purpose of registration of voters, the board of voter registration must be in session on the secular day next preceding the special election. The town clerk of the town shall prepare the required ballots, on which the town clerk shall reduce the subject matter of this Act to the following question:

"Shall the charter that created the South Berwick Sewer District be amended to increase the total authorized indebtedness of the district from \$3,000,000 to \$6,000,000?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

The result of the vote must be declared by the municipal officers of the Town of South Berwick and due certificate thereof must be filed by the town clerk with the Secretary of State.

**Sec. 3. Local referendum impact.** Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, additional costs, if any, imposed on any municipal-

ity by the provisions of this Act that provide for a local referendum are not funded by the State.

Effective pending referendum.

## CHAPTER 76

S.P. 803 - L.D. 2002

### An Act to Amend the Law Governing the Rumford-Mexico Sewerage District

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1.** P&SL 1971, c. 79, §4, 3rd ¶ is amended by adding at the end a new sentence to read:

Without limiting the foregoing, the trustees from time to time may establish and set aside money in such funds and accounts, in addition to any funds and accounts specifically authorized, as they determine necessary for the proper management of the district and may invest that money in those accounts, deposits, securities or other instruments in which municipal officers are permitted to invest pursuant to the Maine Revised Statutes, Title 30-A, Part 2, Subpart 9, chapter 223, subchapter III-A.

**Sec. 2.** P&SL 1971, c. 79, §15, 2nd ¶, 3rd sentence is amended to read:

The money set aside in a sinking fund ~~shall must~~ be devoted to the retirement of the obligations of the district ~~and meanwhile may be invested in such securities as savings banks in the State of Maine are now or hereafter allowed to hold.~~

**Sec. 3.** P&SL 1971, c. 79, §15, 5th ¶, first sentence is amended to read:

All bonds, notes and evidences of indebtedness so issued by the district ~~shall be~~ are legal obligations of the district, which is declared to be a quasi-municipal corporation within the meaning of the Maine Revised Statutes, former Title 30, section 5053 or its successor Title 30-A, section 5701, and all provisions of ~~said that~~ section ~~shall be~~ are applicable thereto.

**Sec. 4.** P&SL 1971, c. 79, §22 is amended to read:

**Sec. 22. Existing statutes not affected; rights conferred subject to provisions of law.** Nothing ~~herein~~ contained in this Act is intended to repeal or ~~shall~~ may be construed as repealing the whole or any part of any existing statute, and all the rights and duties ~~herein~~ mentioned ~~shall must~~ be exercised and performed in accordance with all the applicable provisions of the Maine

Revised Statutes ~~of 1964, former~~ Title 35 or its successor Title 35-A.

See title page for effective date.

## CHAPTER 77

S.P. 447 - L.D. 1191

### An Act to Facilitate the Adoption of a Maine Wellhead Protection Program for the Protection of Public Water System Wellheads

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the State lacks a coordinated approach to protecting public water system wellheads; and

**Whereas,** the Maine Wellhead Protection Program as developed under the requirements of the 1986 amendments to the federal Safe Drinking Water Act and approved by the United States Environmental Protection Agency may offer a coordinated protection approach and needs to be further developed; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. Maine Wellhead Protection Program.** By February 15, 1993, the Department of Human Services, Division of Health Engineering shall report to the joint standing committee of the Legislature having jurisdiction over natural resource matters on a proposed program and rules for implementing the Maine Wellhead Protection Program designed to protect public water system wellheads from contaminants that may have an adverse effect on public health, as required under the 1986 amendments to the federal Safe Drinking Water Act. The Department of Human Services, Division of Health Engineering also shall introduce legislation to implement this program.

In developing this program and the proposed rules, the division must work with and receive advice from representatives from water suppliers, municipalities, summer camps, businesses, the scientific community and other affected parties.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 13, 1992.